

The Bureau is seeking comments related the LPFM service and translators. Please give consideration to the comments made here.

Foremost, LPFMhelp.com requests that the Bureau acknowledge an inherent flaw in the public comment system as it relates to the LPFM service. You see, most LPFM operators are not "career broadcasters." The vast majority of the LPFM stations in existence were not started by broadcasters. Future applicants are unaware of the way the FCC operates, the comment process, and their need to express their comments to the Bureau. Existing operators are so busy with daily operations they have little time to allocate to helping others start an LPFM station. At the same time, the majority of the career broadcasters (and their attorneys) are intimately familiar with these procedures. Their careers are funded through the operations of full-power broadcasters, so they are financially motivated to make comments. As such, their comments are inherently biased towards full-power stations. The net result is that the Bureau will inevitably receive a greater number of (meaningful) comments that adversely affect the LPFM service and are biased towards the full-power broadcaster. This is the way it has been for every comment window to date.

That said, LPFMhelp.com hopes the Bureau will listen to the comments we outline. You see, our organization seeks to help LPFM stations succeed. Members of our organization have operated LPFM stations, helped start LPFM stations, helped existing LPFM stations with operational issues, spent thousands of hours communicating with LPFM stations, consulted with broadcast attorneys on LPFM issues, and more. In general, we understand the "LPFM operator."

Regarding translators and number of filing opportunities for LPFM, we applaud the Bureau in its efforts to avoid dismissing translator applications while allowing for as many LPFM opportunities as possible. Viable translator applications by qualified applicants (those who actually intended to use the license) should be processed, as this would be the most lawful course of action. We simply request that the Bureau make it extremely simple for an LPFM applicant to determine whether a station is available without having to pay a consultant. The revised LPFM Channel Finder Tool is a good step in that direction, although we desire that the tool remains updated to reflect any rule changes so applicants can use the tool to guarantee they have found a viable opportunity. This will minimize the financial impact on these (non-profit) applicants and streamline the application process at the Bureau. Supplemental engineering documents should not be required.

In addition, LPFM operators should be allowed to license translators. This does not create a cross-ownership conflict. Several LPFM stations are currently rebroadcast on translators. Most communities are larger than 3 miles (the reach of an LPFM station), and an LPFM station should be permitted to reach the entire local community by use of translators. In fact, it is silly that often students are bussed to a local high school from an area larger than the coverage area for an LPFM station. An LPFM station who attempts to service the community cannot be relied upon for school closure information or

programming that relates to the school for often the students/parents will be unable to hear the broadcast. By permitting this cross-ownership, the Bureau will allow an LPFM station to reach further than 3 miles.

Furthermore, the Bureau should increase the ERP of LPFM to 250W-500W ERP. Translators do not cause interference at 250W, and neither would LPFM stations. LPFMs need to be able to reach their local community in order to properly serve them and the only way to do that is to increase the power cap.

Should an LPFM applicant be community based? We believe the station must have a local governing board once the station is licensed. However, an applicant need not be local. Why? Existing local non-profits were formed for a purpose other than broadcasting. This purpose usually is in conflict with radio operations. If the non-profit is a church, the church takes priority over the station. If the non-profit was formed for a food bank, the food bank takes priority. Same thing goes for a school, 4H program, or anything else. Quite frankly, the public deserves better than that. For an LPFM to successfully serve the community, it needs to be focused on running the radio station. In most situations, this requires forming a new non-profit with a mission specific to broadcasting within that community. Each community is different, and the newly formed non-profit needs to be run predominantly by people within the community. If 75% of the board members live within 10 miles of the station, the board will best be positioned to consider the local community. An applicant should be required to pledge to have this type of constituency and lose their license if they cannot uphold their pledge.

What about the point system? There needs to be a system to give preference to one applicant over another in order to expedite processing of applications and get LPFM stations launched where they can serve the public. Throw out the original point system and start over. We suggest considering:

- Local programming pledge (8 hours daily M-F, pre-recorded okay, produced exclusively by non-profit ? 2 points)
- Live, local programming pledge (4 hours, 8 hours, 12 hours daily M-F ? 1 point each)
- Staffed, station hours pledge (4 hours, 8 hours daily M-F ? 1 point each)

This point system is designed to award points based on value to the community. The more that an applicant is willing to serve the public, the more the Bureau should consider awarding the license to the station.

We request that in situations where the license is awarded to one applicant over another based on the point system, the Bureau require the LPFM to annually file a report that certifies the LPFM is in compliance with each pledge they make. In the event the station remains out of compliance for 2-years, the Bureau would have the authority to assign the license to one of the other original applicants.

Thank you for the opportunity to share comments, and the attention that is being given to LPFM radio.